IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.4831-M of 2007

DATE OF DECISION:15.03.2007

Mohan Lal .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Sanjiv Gupta, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

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Petitioner Mohan Lal, apprehending his arrest in a non-bailable offence in case FIR No. 76 dated 10.11.2001 under Sections 323/506/148/149 IPC, registered at Police Station Rahon, District Nawanshahr, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that in the aforesaid FIR, no injury has been attributed to the petitioner nor there is any allegation that the petitioner gave threat to the complainant or any other person. He further contends that in the occurrence, the petitioner had received 12 injuries. Counsel submits that there was an oral compromise between the parties and in view of the understanding that the matter has been compromised, the petitioner went abroad. Now he has come back to India and has come to know that he has been declared proclaimed offender. Counsel contends that as far as FIR is concerned, all the offences are bailable and while relying upon a decision of the Delhi High Court in

Puneet Singh Chauhan V. **State**, 2005 (1) RCR (Criminal) 418, counsel contends that even if the non-bailable warrant is issued against the accused, then he is entitled for release of bail, if he is ready to furnish regular bail bonds.

Counsel for the petitioner further contends that in view of the order dated 25.1.2007, the petitioner has appeared before the trial Court and furnished his regular bail bonds which have been accepted and attested and since then he is regularly appearing before the trial Court.

In view of the above, the interim bail, granted vide order dated 25.1.2007 is made absolute.

Disposed of accordingly.

March 15, 2007 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**